

Weatherly Kerven LLC
115 Perimeter Center Place, NE
Suite 1082
Atlanta, GA, 30346-1249

RECEIVED
CENTRAL FAX CENTER
MAR 25 2005

urgent

f a c s i m i l e

To: Examiner Hal Wachsman
Fax Number: +1 (703) 872-9306

From: David Kerven
Fax Number: (770) 395-5921
Business Phone: (770) 395-5920
Home Phone:

Pages: 85
Date/Time: 3/25/2005 9:55:05 AM
Subject: Response After Final (App. Serial No. 10/034,785)

Attached hereto please find Applicant's response to Examiner Wachsman's Notice mailed March 21, 2005.

PTO/SB/21 (09-04)


Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

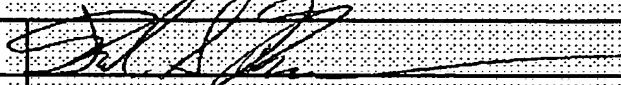
TRANSMITTAL FORM	Application Number	10/034,785	RECEIVED CENTRAL FAX CENTER MAR 25 2005
	Filing Date	December 27, 2001	
	First Named Inventor	Lawrence J. Seigel	
	Art Unit	2857	
	Examiner Name	Hal Wachsmen	
(to be used for all correspondence after initial filing)		Attorney Docket Number	03237.0001U2
Total Number of Pages in This Submission		84	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input checked="" type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Weatherly Kerven LLC		
Signature			
Printed name	David S. Kerven		
Date	March 25, 2005	Reg. No.	43,712

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	David S. Kerven	Date	March 25, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**RECEIVED
CENTRAL FAX CENTER**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 25 2005

In re application of:

Lawrence J. Seigel

Serial No.: 10/034,785

Filed: December 27, 2001

Entitled: Method and system for evaluating the
efficiency of an air conditioning
apparatus

Group Art Unit: 2857

Attorney Docket No.: 03237.0001U2

Examiner: Hal Wachsman

I certify that this correspondence is being transmitted via
facsimile to the USPTO on March 25, 2005, to:

Primary Examiner Hal Wachsman
US Patent & Trademark Office
Group Art Unit 2857
(703) 872-9306

David S. Kerven

**RESPONSE TO NOTICE OF NON-FULLY RESPONSIVE REPLY
PURSUANT TO 37 C.F.R. § 1.111 TO MARCH 21, 2005**

Examiner Hal Wachsman
US Patent & Trademark Office
Group Art Unit 2857
(703) 872-9306

Dear Sir:

Pursuant to 37 C.F.R. § 1.111, Applicant submits this paper in response to the Notice of
Non-fully Responsive Reply mailed March 21, 2005 (the "Notice"). Please amend the above-
identified application as follows:

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 15 of this paper.